

### **REMARKS**

Claim 1 has been amended to recite a “cover glass for covering the light receiving pixels and the accumulating pixels,” the location of the light shield “under the cover glass,” and the location of the opaque cover laid over the light shield “and beneath the cover glass,” with the result that “reflection from the cover glass is reduced.” This amendment of claim is supported by the specification (*e.g.*, Fig. 1, 9:11-10:3), and its entry is therefore requested.

Applicants appreciate that the rejection has been made final, but the present amendment is not made to distinguish the claims from the prior art, but merely to emphasize the role of the “opaque cover” which does distinguish over the prior art and which already appears in claim 1.

#### **I. THE PRIOR ART REJECTION**

The present prior art rejection appears to be substantially the same as in the previous Office Action, except that the **Tanigawa** reference is cited for the disclosure of forming the opaque cover with an eave in the aperture. The Examiner implies that one skilled in the art would be motivated to modify the opaque cover the primary prior art references to include such a eave structure.

Applicants traverse the rejection because the combination of art would not result in their claimed imaging device. Specifically, Fig. 1 of **Tanigawa** discloses that the low reflective film 10, which is cited in the Office Action as the counterpart of the opaque cover (or the anti-reflection cover 12) of the present invention, *is wholly covered by the aluminum layer 4* (only Japanese notation is shown in the Patent Abstract of Japan). As a result, **Tanigawa**’s low reflective film 10 is capable only of preventing light coming from *beneath or from the pixels*.

Contrary to that, the opaque cover 12 of the present invention decreases the *multiply reflecting light between the cover glass 9 and the light shield 6 or the light from outside*. Thus, if one skilled in the art were to follow the teachings of Tanigawa, he or she would obtain an imaging device outside the scope of the present invention.

Because of the construction of the layers recited in amended claim 1, including the construction of the eave of the opaque cover, the solid state imaging device of the present invention solves the problems associated with the conventional devices described in the specification (*e.g.*, at 6:10-17), whereas the prior art, even if combined, does not.

## II. CONCLUSION

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Response After Final under 35 U.S.C. §1.116

Serial No. 09/986,068

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Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read "Scott M. Daniels". The signature is fluid and cursive, with the first name "Scott" and last name "Daniels" clearly distinguishable.

Scott M. Daniels

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